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Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ONE 2006 CIRRUS SR20 AIRPLANE
FAA# N9255, SER. #1651 AND
APPROXIMATELY \$4,400 IN UNITED
STATES CURRENCY,

Defendants.

No. CV 11-01724 EJD

STIPULATION TO STAY

Claimant Visibility Unlimited, LLC, by and through its counsel of record Brenda Grantland, and plaintiff United States of America, hereby jointly agree to a stay of the instant case.

The members of claimant Visibility Unlimited, LLC have a pending prosecution in Santa Clara County Superior Court [Case No. C1093460]. An arraignment on a new indictment with the same case number is currently set for July 6, 2011. The currency at issue in this forfeiture was seized during the arrest in the Santa Clara County case, and the parties agree that allegations in the present forfeiture complaint are related to the allegations at issue in the related criminal case.

1 Claimant Visibility Unlimited, LLC contends that its members are the subject of a related
2 criminal case, and continuation of the forfeiture proceeding will burden the right of the claimant
3 against self-incrimination in the related criminal case. Thus, claimant Visibility Unlimited, LLC
4 requests a stay pursuant to 18 U.S.C. § 981(g)(2). The United States independently requests a
5 stay under 18 U.S.C. § 981(g)(1), as civil discovery would adversely affect the prosecution of the
6 related criminal case pending in Santa Clara County. The United States, respectfully reserves the
7 right, if necessary, to preserve the value of the defendant property by interlocutory sale, should the
8 conditions outlined in the Supplemental Rule for Admiralty or Maritime Claims and Asset Forfeiture
9 Actions Rule G(7)(b) occur.

10 For the aforementioned reasons, the parties respectfully request that the current case be stayed
11 for 180 days.

12
13 Dated: 7-5-2011

14 
15 BREND A GRANTLAND, ESQ.
16 Attorney for Claimants

17 Dated: 7-5-11

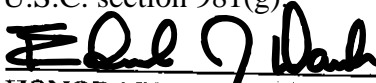
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19 DAVID B. COUNTRYMAN
20 Assistant United States Attorney

21 **ORDER GRANTING STAY**

22 UPON CONSIDERATION of the Stipulation to Stay, the entire record, and for good
23 cause shown, it is by the Court on this 6th day of July, 2011

24 ORDERED that the instant case be, and hereby is, STAYED, until January 6
25 20 12, at 10:00 a.m. or until further order of the Court pursuant to
26 18 U.S.C. section 981(g).

27 The Case Management Conference
28 previously scheduled for 7/15/2011
is hereby vacated and reset for
1/6/2012, at 10:00 a.m. Joint CMC
Statement due by 12/28/2011.

29 
30 HONORABLE EDWARD J. DAVILA
United States District Judge

STIPULATION TO STAY
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